

**JOINT LETTER**

October 7, 2011

**Via CM/ECF & FedEx**

Hon. Cathy L. Waldor, U.S.M.J.  
United States District Court  
District of New Jersey  
M.L. King, Jr. Federal Building & Courthouse  
50 Walnut Street  
Newark, New Jersey 07101

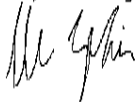
**Re: *BanxCorp v. Bankrate, Inc.*, Civ. No. 07-3398 (ES-CLW)  
*BanxCorp v. LendingTree, LLC*, Civ. No. 10-2467 (ES-CLW)**

Dear Judge Waldor:

Plaintiff BanxCorp ("Plaintiff" or "BanxCorp") and Defendant Bankrate Inc. ("Defendant" or "Bankrate") respectfully submit this Joint Letter concerning the following issues:

- 1) Alleged deficiency claims by Plaintiff numbered I-XV (the "Deficiency Claims") served on August 24, 2011 in connection with Defendant's responses to Plaintiff's Requests for Production of Documents ("RPD") and Requests for Admission ("RFA"), as set forth in the annexed **Appendix I**; and
- 2) Alleged deficiencies in BanxCorp's responses to Bankrate's Special Interrogatories served on August 31, 2011, as set forth in the annexed **Appendix II**.

Respectfully submitted,



Mordechai I. Lipkis  
MORDECHAI I. LIPKIS, ESQ.  
350 Broadway, Suite 1105  
New York, New York 10013  
(212) 925-4023  
(212) 925-4702 Fax  
mlipkis@mlipkis.com

*Counsel for Plaintiff BanxCorp*

s/R. Scott Thompson  
R. Scott Thompson  
LOWENSTEIN SANDLER PC  
65 Livingston Avenue  
Roseland, New Jersey 07068  
(973) 597-2500  
(973) 597-2400 Fax  
sthompson@lowenstein.com

*Counsel for Defendant Bankrate Inc.*

Enclosures

cc: Hon. Esther Salas, U.S.D.J. (*via ECF and FedEx*)  
All Counsel of Record (*via ECF*)